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JUN 03 2002

GROUP 1600**OFFICIAL**

TO:	Group Art Unit 1653	FROM:	Frank C. Eisenschenk, Ph.D. (Reg. No. 45,332)
COMPANY:	U.S. Patent & Trademark Office	DATE:	May 31, 2002
FAX NO.:	(703) 308-4556	NO. OF PAGES: (INCLUDING COVER SHEET)	9

SUBJECT/MESSAGE:

U.S. Patent Application Docket No. GEN-T111XC3D1
PROSTATE CANCER GENE
(Cohen, Blumenfeld, Chumakov, Bougueleret)
Serial No. 09/853,526; Filed May 11, 2001

THIS IS AN OFFICIAL DOCUMENT.
PLEASE DELIVER IMMEDIATELY.

Attachments: Request for Corrected Filing Receipt
Redlined Copy of February 8, 2002 Filing Receipt
May 9, 2002 Responses to Request for Corrected Filing Receipt

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I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent and
Trademark Office on May 31, 2002.

Frank C. Eisenschenk
Frank C. Eisenschenk, Ph.D., Patent Attorney

REQUEST FOR CORRECTED FILING RECEIPT

Examining Group 1653

Patent Application

Docket No. GEN-T111XC3D1

Serial No. 09/853,526

FAX RECEIVED

JUN 03 2002

GROUP 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : (Unassigned)
Art Unit : 1653
Applicant(s) : Daniel Cohen, Marta Blumenfeld, Ilya Chumakov, Lydie Bougueleret
Serial No. : 09/853,526
Filed : May 11, 2001
Confirm. No. : 7147
For : PROSTATE CANCER GENE

Commissioner for Patents
Washington, D.C. 20231

SECOND REQUEST FOR CORRECTED FILING RECEIPT

Sir:

With regard to the May 9, 2002 Responses to Request for Corrected Filing Receipt, as received from the U.S. Patent and Trademark Office, which inform Applicants that the Patent Office is unable to comply with the request, Applicants respectfully re-submit this Request for Corrected Filing Receipt wherein the filing date is corrected to reflect the actual filing date of May 11, 2001, instead of the date of August 27, 2001. As indicated in the Response to File Missing Parts (filed August 27, 2001), Applicants accepted the application as deposited with the USPTO on May 11, 2001.

Also, based on the May 11, 2001 submission of Utility Patent Application Transmittal and accompanying filing papers, the number of independent claims are 5 (not 2).

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Docket No. GEN-T111XC3D1
Serial No. 09/853,526

A redlined copy of the February 8, 2002 Updated Filing Receipt, and copies of the May 9, 2002 Responses to Request for Corrected Filing Receipt, as received from the U.S. Patent and Trademark Office, are attached.

If any further information or documentation is required in order to accede to this request for a corrected Filing Receipt, the Office is respectfully requested to contact the undersigned by telephone at (352) 375-8100.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

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FCE/an

Attachments: Redlined copy of February 8, 2002 Filing Receipt
May 9, 2002 Responses to Request for Corrected Filing Receipt
- Claims, Fees, & Inventors
- Application Filing Date

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/853,526	08/27/2001	1653	420	GEN- T111XC3D1	26	8	5

May 11, 2001

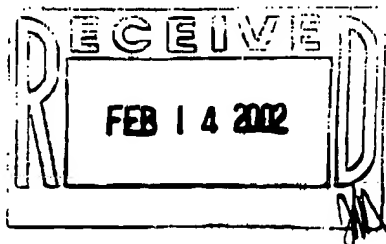
CONFIRMATION NO. 7147

UPDATED FILING RECEIPT



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Date Mailed: 02/08/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Daniel Cohen, Neuilly sur Seine, FRANCE;
Marta Blumenfeld, Paris, FRANCE;
Ilya Chumakov, Vaux-le-Penil, FRANCE;
Lydie Bougueleret, Vanves, FRANCE;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 09/338,907 06/23/1999 PAT 6,265,546
WHICH IS A CIP OF 09/218,207 12/22/1998 PAT 6,346,381
WHICH IS A CIP OF 08/996,306 12/22/1997 PAT 5,945,522
AND CLAIMS BENEFIT OF 60/099,658 09/09/1998

Foreign Applications

If Required, Foreign Filing License Granted 06/26/2001

Projected Publication Date: 05/23/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Prostate cancer gene

Preliminary Class

530

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

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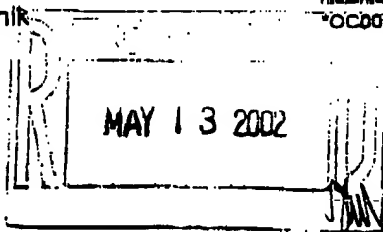
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WASHINGTON, DC 20231
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/853,526	08/27/2001	Daniel Cohen	GEN-T111XC3D1

CONFIRMATION NO. 7147

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OC000000008078487



Date Mailed: 05/09/2002

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Claims, Fees, and Inventors

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date; or it may not reflect fees refunded to the applicant that were paid by mistake.
- ☒ The number of claims reflected on the filing receipt is correct. Upon review of the claims, it was found that there was a miscalculation by the applicant. This may be due to improperly presented multiple dependent claims, typographical error, misnumbering of the claims, or other oversight. An amendment may be necessary to correct the problem.
- ☐ The filing fee reflected on the filing receipt is correct. Applicant may have miscalculated the fees due.
- ☐ Applicant calculated fees as other than small entity; however, applicant asserted small entity status in the application. Therefore, fees were applied as small entity and the remainder was refunded to the applicant.
- ☐ The difference between the fees paid and the fees due was refunded to the applicant and will not be shown on the filing receipt.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).

- ☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- ☐ A petition to correct the inventorship is needed to make this change. See 37 CFR 1.48. For non-provisional applications, the petition should be directed to the Director of the examining group assigned to your application.
- ☐ Changes made after submission of an executed declaration to the inventor information other than correction of typographical errors must be submitted in the form of a substitute declaration. Change of inventorship requires a petition under 37 CFR 1.48.
- ☐ The number of drawings shown on the filing receipt reflects the number of drawing sheets submitted and is not necessarily equal to the number of figures submitted.
- ☐ The correspondence address was captured as directed by applicant on filing. If you wish correspondence to be directed otherwise, please submit a request for a change of address.
- ☐ The docket number allows a maximum of 25 characters.
- ☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.
- ☐ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.



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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/853,526	08/27/2001	Daniel Cohen	GEN-T111XC3D1

CONFIRMATION NO. 7147

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Date Mailed: 05/09/2002

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Application Filing Date

In response to your request for a corrected Filing Receipt, the Office can not comply with your request because:

- ☐ If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- ☐ A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- ☐ The "date in" on the Express Mail label is the date given on the Filing Receipt.
- ☒ The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- ☐ Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- ☐ The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, to:

Box DAC
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Washington, DC 20231

Nancy B. Barger

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